

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

AMDOCS (ISRAEL) LIMITED, an Israeli)
Corporation,)
Plaintiff,)
)
v.) Civil No. 1:10cv910
)
OPENET TELECOM, INC., a Delaware)
Corporation, and OPENET TELECOM LTD.,)
an Irish Corporation,)
)
Defendants.)

)

RULE 16(B) SCHEDULING ORDER

1. Upon consideration of the representations made by the parties at the Rule 16(b) Conference, the court makes the following rulings:

- a. **Parties shall deliver to my chambers (not to the Clerk's office) a copy of every non-dispositive motion and every document relating to such a motion within one business day of filing it.**
- b. Rule 26(a) disclosures, depositions, interrogatories, requests for documents and admissions, and answers thereto shall not be filed except on order of the court, or for use in a motion or at trial.
- c. Any motion to amend the pleadings or to join a party shall be made by January 18, 2011.
- d. Rule 26(a)(1) disclosures shall be completed by December 22, 2010. They shall be augmented as agreed in the joint discovery plan and as directed at the conference.

e. Expert discovery shall be conducted on the schedule agreed to in the joint discovery plan.

f. Because the discovery plan does not show that the parties have discussed any issues relating to claims of privilege or protection of trial preparation materials, as required by Fed. R. Civ. P. 26(f)(3)(D), counsel are directed to report on that subject to the undersigned magistrate judge within fourteen (14) days.

g. Because the discovery plan does not show that the parties have discussed any issues relating to preserving discoverable information, as required by Fed. R. Civ. P. 26(f)(2), counsel are directed to report on that subject to the undersigned magistrate judge within fourteen (14) days.

h. Access to discovery materials designated "confidential" is restricted to outside counsel and their staffs until a more detailed protective order is entered.

i. Claim construction and summary judgment motions will be briefed and argued together on a schedule that Judge Brinkema will set at the final pretrial conference.

2. *Sealing of Documents.* Filings under seal are disfavored and discouraged. See Virginia Department of State Police v. The Washington Post, et al., 386 F.3d 567, 575-76 (4th Cir. 2004). Any motion to file documents under seal, including a motion for entry of a protective order containing provisions for filing documents under seal, must comply with Local Civil Rule 5 and must be docketed for a hearing or made in open court. The motion must state sufficient facts supporting the action sought, and each proposed order must include specific findings.

3. All motions, except for summary judgment, shall be noticed for hearing on the earliest possible Friday before the final pretrial conference. Ten working days' notice is required for motions to dismiss, for summary judgment, for patent claim construction, and for judgment

on the pleadings. Non-dispositive motions must be electronically filed by 5:00 p.m. on the Friday before the Friday for which noticed, with responses due not later than 5:00 p.m. on the Wednesday before the hearing. Any reply should be filed as early as possible on Thursday.

4. All Fed. R. Civ. P. 12 issues shall be raised in one pleading unless leave of court is first obtained. All summary judgment issues shall be presented in the same pleading unless leave of court is first obtained.

5. All motions must adhere to the page limits set in Local Rule 7(F)(3). No pleading shall be in type less than ten (10) pitch or twelve (12) point.

6. Depositions, interrogatories, requests for documents and admissions, and answers thereto shall not be filed except on order of the court, or for use in a motion or at trial.

7. In non-jury cases, counsel shall file with the clerk at the beginning of trial written proposed findings of fact and conclusions of law. In jury cases, instructions shall be filed five (5) days prior to trial in accordance with Local Rule 51. Violation of this rule will constitute a waiver of objections to any instructions given.

It is so ORDERED.

/s/

Thomas Rawles Jones, Jr.
United States Magistrate Judge

Date: December 22, 2010
Alexandria, Virginia